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Class Counsel for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

IN RE COLLEGE ATHLETE NIL
 LITIGATION

Case No. 4:20-cv-03919-CW

**[PROPOSED] ORDER REGARDING
 THIRD-PARTY CLAIMS FILING
 SERVICES**

Hrg. Date: December 26, 2024
 Time: 2:30 p.m.
 Judge: Hon. Claudia Wilken
 Courtroom: 2, 4th Floor

1
2 WHEREAS, the Court has determined that certain solicitations of class members
3 regarding third-party claims filing services have been misleading;

4 AND WHEREAS the Court has expressed concern about instances of class member
5 confusion;

6 AND WHEREAS Plaintiffs are still in the process of sending notice to Class Members and
7 thus expect various third-party entities to seek new business relationships based on the proposed
8 settlement;

9 IT IS HEREBY ORDERED AND DECREED as follows:

10 1. All third-party claims filing companies seeking to represent Class Members in
11 connection with the Settlement be required to include the following in any solicitation or
12 engagement agreement with prospective clients:

13 a. A statement making clear that:

- 14 1. Class Members need not use any third-party service in order to
15 participate in any monetary relief;
16 2. the use of a third-party service will not increase any monetary relief that
17 Class Members are eligible to receive under the Settlement;
18 3. no-cost assistance is available from the Claims Administrator and Class
19 Counsel during the claims-filing period and their contact information is
20 available on the Court-approved Settlement website, and

21 b. Information (including the full URL or direct link) directing Class Members to
22 the Court-approved Settlement website for additional information.

23 2. The proposed relief outlined above must be included in any solicitation or marketing
24 materials, in any form, including on company websites, in mail and email solicitations, and in
25 telephone and in-person solicitations, as well as in engagement agreements with Class Members.

26 3. Solicitations that do not contain the required information (as set forth above) may
27 be deemed misleading and following notice and an opportunity to cure, those entities may be
28 enjoined permanently from taking any role in the settlement.

4. Profound Sports shall be required to send, at their own expense, a corrective notice (attached hereto as Exhibit A) to athletes that have been contacted by or engaged with Profound Sports for claims filing services related to the Settlement to ensure that they understand the contract of representation and were not misled by prior solicitations. Upon receipt of the corrective notice, Class Members would have the option to void their contract.

5. Class Counsel and the Claims Administrator will continue to monitor third-party claims filing companies to ensure that they comply with any Order of the Court and will provide any third-party filing companies that contact Class Counsel or the Claims Administrator with this Order.

IT IS SO ORDERED.

DATED: _____

HONORABLE CLAUDIA WILKEN
UNITED STATES DISTRICT JUDGE

Submitted by:

HAGENS BERMAN SOBOL SHAPIRO LLP

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